

voted unfavorably? The bill is never in the chamber at the time unless the bill is brought before the chamber with an unfavorable report, and then there is a vote taken, and that vote is recorded.

Now, if a bill is introduced and the sponsor himself is not interested in bringing the bill before the chamber for a vote, he wants it killed and he wants it killed in that committee, because probably he is embarrassed that he even introduced the bill.

Are you going to embarrass him by requiring the chairman of the committee to bring a bill out and say that there was no vote in the committee for a bill that was reported unfavorable?

THE CHAIRMAN: You have one-half minute, Delegate Della.

DELEGATE DELLA: I think you are just filling up this constitution that we are working on with a lot of words that cannot be enforced. I think the amendment will benefit this section of the constitution that we are trying to adopt.

THE CHAIRMAN: Does any other delegate desire to speak in opposition?

Delegate Gallagher.

DELEGATE GALLAGHER: Mr. Chairman, ladies and gentlemen, you would think that the General Assembly of Maryland was dealing with jelly beans instead of dollars.

We are running a billion dollar operation here in the State of Maryland and I am sorry about anyone's embarrassment, but I think that what we are really interested in is public advisability and responsibility on the part of the General Assembly. I do not think it is too much trouble for a committee chairman to keep a record of votes, and I think when he thinks he is taking a final vote and it is considered to be final that it is not too much difficulty to see that that information is transmitted to the proper parties.

The one thing seems certain down here and that is when you want to change any old way that they have done it for years and years and years, you suddenly have everyone's back up and that is most unfortunate. I suppose that what we have today was once considered to be theoretical, new, unsatisfactory. Now it is tradition bound, it has ivy on it. Nobody wants to touch it. I say if you want responsibility to be placed, if you want the General Assembly to know that it is going to be scrutinized and viewed publicly, that this is the way to do it. I

think it is important, and it makes no sense at all to require a Yea and Nay vote on the floor when you kill a bill and not to require it in Committee. The effect is exactly the same and I think this is important enough in this kind of an operation, with intelligent people, and with the staff that they are going to have, to see to it that we are able to give the public the information it deserves.

I would urge you to defeat the amendment.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate Hardwicke.

DELEGATE HARDWICKE: Mr. Chairman, ladies and gentlemen of the Committee: I regret that the argument is in terms of the old versus the new. If we vote to keep this sentence in 3.17, we are voting to have mandatory substantial compliance, whatever that is, and I am very much in favor of the concept. It simply is not a proper provision for this state constitution. It is a proper provision for a rule of the legislature.

Now, the Chairman has indicated that he is willing to set it up, either as a rule, or something which will be, or have a clear legal concept but if you leave it in 3.17 as it is, it is not going to have any legal concept that we recognize in today's law. Consequently, I urge you to vote for the amendment, but with the understanding that the status of the concept can be clarified, so if we go for the amendment and let them clarify it so that we do not have mandatory substantial compliance, we will accomplish what he wants, but we will not clutter up the Constitution with something that does not mean anything.

THE CHAIRMAN: Does any delegate desire to speak in opposition?

Delegate Gleason.

DELEGATE GLEASON: Mr. Chairman, after listening a little bit more to this debate, I am more convinced than ever that the purpose of the movers of this amendment is to eliminate from section 3.17 not only this provision but three or four other provisions that are added in there.

There is not the slightest doubt in my mind as to what the meaning of this section is. It is in there for a purpose. It is mandatory. They shall do it. But if in fact, due to a clerical error on the part of some assistant, some mistake occurs, we do not